

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

IN RE EASTMAN KODAK ERISA
LITIGATION

MASTER FILE NO. 6:12-CV-06051-DGL

THIS DOCUMENT RELATES TO:
ALL ACTIONS

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF
SETTLEMENT, CONDITIONAL CERTIFICATION OF SETTLEMENT CLASS,
APPROVAL OF NOTICE PLAN, AND TO SET A DATE FOR A
FAIRNESS HEARING TO APPROVE SETTLEMENT**

Plaintiffs respectfully request that the Court enter an Order: (a) preliminarily approving the Settlement Agreement; (b) conditionally certifying the proposed Settlement Class pursuant to Fed. R. Civ. P. 23(b)(1) and/or (b)(2); (c) approving the form and contents of the Class Notice; (d) authorizing the Settlement Administrator to disseminate the Class Notice to Settlement Class members; and (e) setting a date and time for the Fairness Hearing for the proposed Settlement and all related deadlines. In support of this Unopposed Motion, Plaintiffs submit the accompanying memorandum of law and Declaration of Gerald D. Wells, III and all exhibits thereto. Plaintiffs are also submitting contemporaneously herewith a proposed Preliminary Approval Order.

Dated: April 22, 2016

Respectfully submitted,

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/s/ Jules L. Smith

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CERTIFICATE OF SERVICE

I hereby certify on this 22nd day of April, 2016, I electronically filed the foregoing PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT, CONDITIONAL CERTIFICATION OF SETTLEMENT CLASS, APPROVAL OF NOTICE PLAN, AND TO SET A FINAL APPROVAL BEARING DATE TO APPROVE SETTLEMENT with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Jules L. Smith